

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 30, 2019

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Alonzo Emitt Montoya

Case Number: 0980 2:17CR00110-JLQ-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: October 13, 2017

Original Offense: Escape from Custody, 18 U.S.C. §§ 751(a), and 4082(a)

Original Sentence: Prison - 15 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: David Michael Herzog

Date Supervision Commenced: December 15, 2018

Defense Attorney: Federal Defender's Office

Date Supervision Expires: December 14, 2021

PETITIONING THE COURT

To issue a **warrant**.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1	<u>Special Condition #5:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervision officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
---	--

Supporting Evidence: Mr. Montoya was in direct violation of special condition number 5 by reporting he used methamphetamine on September 23, 2019.

On December 17, 2019, Mr. Montoya was given a copy of his judgment and his conditions of supervision were explained to him. He stated that he understood the conditions in full.

On September 23, 2019, Mr. Montoya reported to the U.S. Probation Office to supply a urine sample. He supplied a urine sample that tested positive for methamphetamine. He signed a drug use admission form stating he consumed methamphetamine on September 23, 2019.

2	<u>Standard Condition # 2:</u> After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when to report to the probation officer, and the defendant must report to the probation officer as instructed.
---	---

Supporting Evidence: On September 30, 2019, Mr. Montoya was in direct violation of standard condition number 2 by failing to report to this officer as directed.

Re: Montoya, Alonzo Emmitt

September 30, 2019

Page 2

On December 17, 2019, Mr. Montoya was given a copy of his judgment and his conditions of supervision were explained to him. He stated that he understood the conditions in full.

On September 27, 2019, the undersigned officer made a home contact with Mr. Montoya. Mr. Montoya was having a difficult time staying in communication with the undersigned, so he was informed he needed to be around either his mother's phone or his girlfriend's phone so he could stay in contact with this officer. Mr. Montoya's mother and girlfriend were also present for this meeting and they understood this officer's directive for Mr. Montoya.

Shortly after the home contact, Mr. Montoya's mother called and stated that Mr. Montoya had allegedly used heroin after our meeting. The undersigned officer attempted to get in contact with Mr. Montoya through his girlfriend's phone, but the phone was turned off. Mr. Montoya's mother stated she would try to find her son in order to bring him into our office for a urine sample. She called back later saying she was unable to locate him. This officer informed her that Mr. Montoya needed to report to the U.S. Probation Office by 8 a.m. on September 30, 2019.

On September 30, 2019, Mr. Montoya's mother called the undersigned officer and stated her son had a "psychotic episode" and got out of her vehicle while she was driving him to the probation office. She advised he slammed the door so hard, it broke her window. She refused to call law enforcement on him but stated she was concerned about his behavior and well being. She indicated Mr. Montoya knew he had a meeting with this officer today but as of the writing of this report, he has failed to report or contact the undersigned.

The U.S. Probation Office respectfully recommends the Court issue a **warrant** requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/30/2019

s/Joshua D. Schull

Joshua D. Schull
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

9/30/2019

Date